

### **REMARKS**

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of April 30, 2007.

Reconsideration of the Application is requested.

Claims 1-4, 6-17, and 19-30 are pending.

Claims 12, 16, 22, and 30 are amended.

Claims 5 and 18 are cancelled.

### **The Office Action**

Claims 16, 17, 19-24, and 30 were objected to for use of the term "capable of."

Claims 1-3, 16-17, 18-21, 23, 25-26, and 30 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,567,534 to Barth, et al.

Claims 4, 6-7, 12, 15-17, 19-21, 23, and 29 were rejected under 35 U.S.C. §103(a) as being unpatentable over Barth, et al. in view of U.S. Patent No. 5,704,750 to Bartos, et al.

Claim 27 was rejected under 35 U.S.C. §103(a) as being unpatentable over Barth, et al. in view of Bartos, et al. and further in view of U.S. Patent No. 4,580,689 to Slater.

Claim 29 was rejected under 35 U.S.C. §103(a) as being unpatentable over Barth, et al. in view of U.S. Patent No. 5,419,665 to Adams.

Claims 8, 11, 13, and 28 were allowed.

Claims 9-10, 12, and 22 were objected to as being dependent on a rejected base claim, but are considered to be allowable if rewritten in dependent form.

For the reasons outlined below, it is submitted that the claims are in condition for allowance.

Claim 1 recites a support member which includes a retention element for use in mounting an associated component to the support panel. The retention element defines a bore for receiving an associated threaded fixing element which mounts the component to the support panel and a protrusion which extends into the bore from a sidewall

thereof. The protrusion includes a rib which extends generally parallel with a longitudinal axis of the bore.

The Examiner raises newly cited U.S. Patent Np. 4,576,534 to Barth, et al. against the claims, drawing attention to the deformations 50, 52, 56, shown in FIGURES 5 and 6. These deformations are formed by the screw as the screw is inserted in the bore of a workpiece formed of soft plastic. They do not constitute a rib extending from the sidewall but constitute a deformation of the sidewall itself during insertion.

Moreover, the embodiments in FIGURES 5 and 6 of Barth do not show a bore for receiving an associated threaded fixing element. The fixing element in Barth is already received by the bore. The bore in these FIGURES cannot receive a fixing element, since it is already filled with a fixing element. There is no suggestion that the assembly formed could subsequently receive a fixing element, since the arrangement is designed to resist removal of the screw.

Accordingly it is submitted that claim 1, and claims 2-4, 6, 9-10, 14-15, and 29 dependent therefrom, distinguish patentably and unobviously over the Barth reference.

Claim 7 recites a bore for receiving an associated threaded fixing element which mounts a component to the support panel. A protrusion extends into the bore from a sidewall thereof. The bore includes a first portion located adjacent to a fixing element receiving opening of the bore and a second portion, spaced from the opening. The second portion has a smaller diameter than the first portion. The protrusion extends in the first and second portions of the bore.

The Examiner acknowledges that Barth fails to disclose a "bore including a first portion located adjacent to a fixing element receiving opening and a second portion spaced from the opening, the second portion having a smaller diameter than the first portion." The Examiner asserts that it would have been obvious to use the bore design of Bartos, et al. for the purpose of providing more flexibility to the rib in the bore.

The deformations 50, 52, 56, shown in FIGURES 5 and 6 of Barth, which the Examiner likens to a rib, are formed by the novel screw of Barth, as the screw is inserted in the bore. The boss of Bartos is designed to accept a specially designed screw, which is different from that of Barth, et al. There is no suggestion, in either reference, that the bore design of Bartos would provide more flexibility to the

deformations caused by the screw design of Barth, as the Examiner suggests. Moreover, Barth teaches that the deformations should be work hardened by insertion of the screw, and thus should become less flexible as they are formed, to resist removal. Barth thus teaches against making the deformations more flexible. There is thus no motivation for incorporating the bore design of Bartos, et al. into Barth.

Moreover, as noted for claim 1, Barth does not disclose a bore for receiving an associated threaded fixing element. Rather, the deformations are only present when the fixing element is received within the bore.

Accordingly, it is submitted that claim 7, and claim 27 dependent therefrom, distinguish patentably and unobviously over the combination of Barth with Bartos.

Claim 12, which was considered to contain allowable subject matter, has been placed in independent form. Accordingly, it is submitted that claim 12 is now in condition for allowance.

Claim 16 has been amended to attend to the objection and to incorporate subject matter of dependent claim 22, which was considered to be allowable over the art. Accordingly, it is submitted that claim 16, and claims 17, 19-21, and 23-24 dependent therefrom, are now in condition for allowance.

Claim 25 recites a method of clamping a component to a support member which includes inserting a threaded portion of a fixing member through an aperture in the component and into a bore defined by the support member. The fixing member is rotated relative to the bore such that a helical groove is formed in the bore. A projection extends into the bore from a sidewall thereof and engages the threaded portion upon reinsertion of a fixing member. The projection comprises a rib which extends generally parallel with a longitudinal axis of the bore.

The Examiner asserts that the method steps would be inherent in the structure of Barth. However, the structure of Barth does not permit reinsertion of a fixing member. Rather, Barth discloses that the deformation of the workpiece during insertion of the screw has the effect of work hardening areas of the workpiece. This increased strength and hardness contributes to the screw's ability to resist stripping and pull out. (col. 3, lines 48-59). Thus, there is no suggestion in Barth of a projection which engages the threaded portion of a fixing member on reinsertion. Rather, it is to be expected that the

screw could not be removed without considerable damage to the workpiece. For inherency, the claimed result must necessarily follow from the structure. Here, the opposite is more likely to occur.

Accordingly, it is submitted that claim 25, and claim 26 dependent therefrom, distinguish patentably and unobviously over the Barth reference.

Claim 30 has been placed in independent form and recites the combination of a retention element and a fixing element. The retention element defines a bore and a projection which extends into the bore, the projection comprising a rib which extends generally parallel with a longitudinal axis of the bore. The rib is formed of a relatively rigid material whereby portions of the rib are ground away during formation of the helical groove.

The Examiner asserts that Barth discloses an upper portion formed of metal. One of ordinary skill in the art, reading the section at col. 4, lines 1-4 of Barth would readily understand that it is the screw of Barth which is formed of metal. The deformations, which the Examiner likens to a projection, are formed by the screw in a workpiece made of a soft plastic. There is no suggestion in Barth that the screw of Barth could form these projections if the workpiece were to be formed of metal, as the Examiner suggests.

Accordingly, it is submitted that claim 30 distinguishes over the reference of record.

**CONCLUSION**

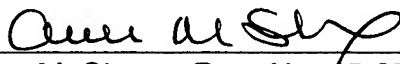
For the reasons detailed above, it is submitted all claims remaining in the application (Claims 1-4, 6-17, and 19-30) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

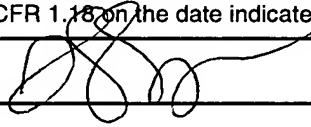
In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call the undersigned, at Telephone Number (216) 861-5582.

Respectfully submitted,

FAY SHARPE LLP

May 22, 2007  
Date

  
Ann M. Skerry, Reg. No. 45,655  
1100 Superior Avenue, 7<sup>th</sup> Floor  
Cleveland, Ohio 44114-2579  
(216) 861-5582

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